

EXHIBIT 6

Page 1

1
2 IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

3 -----X
AMPLIFY CAR WASH ADVISORS LLC,

4
Plaintiff,

5 -against- Case No.:

6 22-cv-5612

7 CAR WASH ADVISORY LLC and HARRY CARUSO,
8 Defendants.

-----X

9
10 DATE: May 2, 2025

11 TIME: 9:22 a.m. (EST)

12
13
14 DEPOSITION of JEFF BANKEY, taken
15 by the respective parties, pursuant to a
16 Notice, held via Zoom, before Nicole
17 Veltri, RPR, CRR, a Notary Public of the
18 State of New York.
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A P P E A R A N C E S:

ARONGBERG GOLDBEHN DAVIS & GARMISA

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Attorneys for the Defendants

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New York, New York 10016

BY: MARYAM N. HADDEN, ESQ.

* * *

1 J. BANKEY

2 minute here.

3 A. Where are you located?

4 Q. Just a minute.

5 A. I see that you're in a
6 skyscraper looking out your window so I
7 figure you're in the city.

8 Q. Just a minute, Mr. Bankey.
9 Mr. Bankey, please go to the exhibits
10 folder, the Exhibit Share and you should
11 see an Exhibit 22.

12 (Whereupon, Plaintiff's Exhibit
13 22 Joint Pretrial Order was marked
14 for identification as of this date.)

15 Q. I'm going to introduce an
16 Exhibit 22 a document that is identified as
17 Docket Entry 92.

18 A. Exhibit 22. I got to find
19 that.

20 Q. It should be in your Exhibit
21 Share folder. You may have to refresh your
22 browser.

23 A. Go back?

24 Q. Yes.

25 A. Okay. I've got it.

1 J. BANKEY

2 Q. Feel free to scroll through
3 this a little bit. I'm only going to ask
4 you about page six.

5 Have you ever seen this
6 document before?

7 MS. HADDEN: Objection.

8 Q. So I'll clarify. Have you ever
9 seen the document marked as Exhibit 22
10 before?

11 A. No.

12 Q. Can you scroll down, you see
13 page six, Mr. Bankey?

14 A. Yes. I see page six.

15 Q. And on page six you'll see that
16 it says Jeff Bankey parenthesis live,
17 correct?

18 A. Yeah. I see that.

19 Q. Have you ever spoken to
20 Ms. Hadden prior to March or April 16th,
21 2025, about testifying live in this
22 litigation in?

23 A. I can't answer that. I just --
24 I do not believe I've ever spoke with her
25 but that -- I -- it's possible that I have

1 J. BANKEY

2 and I don't remember it.

3 Q. Do you recall having any
4 agreement with Ms. Hadden, Mr. Caruso, or
5 Car Wash Advisory about testifying live in
6 a trial during this litigation?

7 MS. HADDEN: Objection.

8 Q. You can answer or do you need
9 me to repeat the question, Mr. Bankey?

10 A. Repeat the question.

11 Q. Sure. Do you recall having any
12 conversations with either Ms. Hadden, Car
13 Wash Advisory, or Harry Caruso in which you
14 agreed to testify live at trial in this
15 litigation?

16 A. I can't honestly answer that
17 question because I don't have a number -- a
18 memory of that.

19 Q. As you sit here today, do you
20 believe that you have agreed to testify
21 live at trial in this litigation?

22 A. As of yesterday, I did.

23 Q. Okay. So I want to be clear
24 that I'm not talking about this deposition,
25 I'm asking about in the future at trial in

1 J. BANKEY

2 New York live, do you have any recollection
3 of agreeing to testify live at trial in New
4 York in this litigation?

5 A. No.

6 Q. Do you have any recollection of
7 discussing testifying live at trial in New
8 York in this litigation with Ms. Hadden?

9 A. No.

10 Q. Do you have any recollection of
11 agreeing to testify live at trial in New
12 York in this litigation with Mr. Caruso or
13 anyone on behalf of Car Wash Advisory?

14 A. No.

15 Q. You see on Exhibit 22 where it
16 says under Jeff Bankey parenthesis live,
17 defendants expect that Mr. Bankey will
18 testify consistently with his affidavit
19 that he did not find CWA through my, quote,
20 Amplify, close quote, hyphen related domain
21 name.

22 Do you see that?

23 A. Yeah. I went through it as you
24 read it.

25 Q. Do you recall providing an

1 J. BANKEY

2 affidavit in this litigation?

3 A. No.

4 Q. Do you have any idea what that
5 paragraph about testifying consistently
6 with your affidavit would refer to?

7 A. No, not -- I have not -- repeat
8 that question one more time.

9 Q. Sure. In reference to this
10 paragraph here where it discusses his
11 affidavit referring to you, do you have any
12 idea what the affidavit referred to in
13 that -- scratch that. Let me start over.

14 Did you see where it says
15 Mr. Bankey will testify consistently with
16 his affidavit in Exhibit 22, right?

17 A. Correct.

18 Q. Do you have any idea what the
19 contents of that affidavit that's referred
20 to in that paragraph would be?

21 A. No. Other than I was -- I
22 heard something about a lawsuit way back
23 and I am not -- like I said, I'm out of car
24 wash circles. I can't answer that because
25 I can't give you an honest answer.

1 J. BANKEY

2 Q. Sure. And at any rate, you
3 don't recall signing an affidavit in this
4 litigation?

5 A. No. No. But I could have and
6 not remember it.

7 Q. I understand. Let's mark --
8 actually, scratch that.

9 Do you have any aliases or
10 other names that you might be known by?

11 A. No, no.

12 Q. For example, my legal name is
13 Matthew De Preter, but I go by Chip De
14 Preter.

15 Do you understand a nickname
16 versus a legal name? You understand that
17 concept, right?

18 A. Yes.

19 Q. And do you have any nicknames
20 or other names that you might go by besides
21 Jeff Bankey?

22 A. A lot of people call me Car
23 Wash.

24 Q. Would you sign legal documents
25 with that nickname?

1 J. BANKEY

2 A. No, no.

3 Q. What name would you use if you
4 were signing something official?

5 A. Jeff Bankey.

6 Q. Okay. Bear with me a minute.
7 I'm going to look for another exhibit. I'm
8 going to introduce as Exhibit 23 an email
9 dated October 11th, 2023, from Maryam
10 Hadden to Chip De Preter and others.

11 (Whereupon, Plaintiff's Exhibit
12 23 Hadden email dated October 11,
13 2023, was marked for identification
14 as of this date.)

15 Q. If you could, Mr. Bankey,
16 please go back to the exhibits folder in
17 the Exhibit Share and look for Exhibit 23.

18 A. I have it up already.

19 Q. Okay. If you want to, you can
20 scroll through this; and my first question
21 just is, have you ever seen Exhibit 23
22 before?

23 A. Not that I'm aware of.

24 Q. I would like you to scroll
25 down, let's look at page two for a minute.

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1 J. BANKEY

2 Do you have page two?

3 A. I'm on page two right now.

4 Q. All right. And you see that it
5 has the top portion says United States
6 District Court, Southern District of New
7 York, and then Amplify Car Wash Advisors
8 versus -- or excuse me, Car Wash Advisory
9 and Harry Caruso. You see that at the top?

10 A. Yes.

11 Q. Have you ever seen or do you
12 recall -- strike that.

13 Do you recall seeing a document
14 that looks similar to this one in the past?

15 A. I've never seen it. I've never
16 seen anything like this before. I -- I
17 can't even know Amplify Car Wash was out
18 there.

19 Q. All right. You don't recall
20 ever being asked to sign a document similar
21 to what's shown on page two?

22 A. No.

23 MS. HADDEN: Ordinarily I
24 wouldn't interject at this point but
25 I should let you know that in a

1 J. BANKEY

2 paragraph in joint trial order the
3 reference to an affidavit is my error
4 so Mr. Bankey did not sign an
5 affidavit.

6 MR. DE PRETER: Okay. That's
7 what I was trying to get at.

8 MS. HADDEN: That was
9 completely my mistake, and I
10 apologize for interrupting; but I
11 didn't want to be wasting your time
12 trying further to find something that
13 isn't out there.

14 MR. DE PRETER: Okay.

15 Q. Okay. Then we can take down
16 Exhibit 23. Mark as Exhibit 24.

17 (Whereupon, Plaintiff's Exhibit
18 24 document Bates stamped
19 CWA000493-565 was marked for
20 identification as of this date.)

21 A. You want me to go to a new
22 exhibit now?

23 Q. Yes. Just one minute while I
24 get the exhibit up. Okay. Mr. Bankey,
25 would you please go to the Exhibit Share

1 J. BANKEY

2 folder and look for Exhibit 24 and let me
3 know when you've had that available.

4 A. I've got it available.

5 Q. Okay. Do you recognize
6 Exhibit 24?

7 A. I mean, it refreshes my mind.
8 That was a company I sold and the buyer of
9 the car washes.

10 Q. Great. And does this refresh
11 your recollection that the purchase of the
12 Russ Auto Car Wash was approximately
13 May 6th of 2021?

14 A. The date of the agreement or
15 the date of the actual physical sale?

16 Q. Well, let's take a step back, I
17 guess.

18 What is the purpose of this
19 agreement, Exhibit 24?

20 A. Get involved moving to sell the
21 car washes to my understanding.

22 Q. So the 6th of May -- excuse me,
23 let me start over. The date at the top of
24 the agreement, May 6th, 2021, that was not
25 the sale date. Is that correct?